REMARKS

Summary of Telephone Examiner/Attorney Interview 05/16/2007.

Applicants thank Examiner for the interview granted to their attorney, Janis E.

Clements, on May 16, 2007. In that interview, Applicants' attorney discussed with

Examiner our intention of amending the claims in order to more clearly define the present

invention and overcome 112 rejections. The Examiner and Applicants discussed

language for amending the claims for overcoming the 112 rejections.

Response to Claims Rejections

The rejections of claims 1-15 as being unpatentable under 35 USC 112 as failing

to comply with the enablement requirement, and under 35 USC 112 as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention are respectfully traversed. Both 35 USC 112 rejections are

addressed below under one heading for "Rejection under 35 U.S.C. §112". Claims 1, 6,

and 11 are the independent claims. Claims 2-5, 7-10, and 12-15 are the dependent

claims.

Rejection under 35 U.S.C. §112

The Examiner rejected claims 1-15 under 35 USC 112 as being indefinite, and for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Both 35 USC 112 rejections will be addressed in this section

using a claim by claim format. The Examiner stated that with regard to independent

AUS920030787US1   8

claims 1, 6, and 11, the specification does not clearly enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use temporarily coding broadcasting payload to a set of symbols. The Examiner stated the use of coding along with symbols is not explained clearly, as any data could be interpreted as a symbol, and that the use of replacing the broadcasting packet with coded symbol to header is not explained in the specification in which further enablement of the invention can be understood regarding how the broadcasting packet is replaced with a coded symbol to the header. Further, the Examiner stated that the use of transmitting and converting the corresponding broadcasting payload from its coded format to form a full broadcasting packet is not explained fully in the specification.

The Examiner also rejected independent claims 1, 6, and 11 under 35 USC 112 stating it is unclear on what is being used for coding the broadcast payload to a set of symbols, as symbols can be any form of data, and which broadcast payload is being stripped from the packet. The Examiner stated the clear use of broadcast payload is not identified, and that it is difficult to ascertain on which coded symbol is being added to the header, again as a coded symbol could be any form of data. The Examiner further stated that it is unclear which header and payload are being transmitted to the receiving server via the broadcast router with regards to transmitting the coded header and a coded payload of the broadcasting packet to the receiving server via the broadcast router, and that conversion of the coded payload from its coded format to form a full broadcasting packet is not clearly claimed, in that it is unclear which coded payload is being referred to.

Responsive to the Examiner's rejection of independent claims 1, 6, and 11,

Applicants submit that amended claims 1, 6, and 11 clearly show the broadcast payload is

stored inside a broadcasting router as a coded header by coding the broadcasting payload

to a set of symbols temporarily, stripping the broadcasting payload temporarily from the ·

broadcasting packet, replacing the broadcasting payload temporarily with a set of coded

symbols in the broadcasting packet, and adding the coded symbols to a header of the

broadcasting packet. The coded header of the broadcasting packet is then transmitted to

the receiving server via the broadcasting router, and the broadcasting payload is

transmitted to its coded header in the receiving server via the broadcasting router, where

the coded set of symbols of the broadcasting payload is converted from its coded format

to form a full broadcasting packet in the receiving server. (See page 4, lines 2-13 of the

application, "Summary of the Present Invention"). The application explains "packet

switching" (see page 3, lines 13-29 of the application), and how a packet-switching

network handles information in small units, breaking long messages into multiple packets

before routing. The application further states that "[T]hese multiple packets that make up

the full broadcasting packet are referred to herein as 'broadcasting payload'." The

application explains how each payload may travel a different route, arriving at a receiver

at different times or out of sequence, where the receiver's system then reassembles the

original broadcasting packet/message correctly. The application states that uneven

speeds exist between the originator and final receptors due to certain router paths that are

slower than the other pathways, limiting overall performance to the performance of the

slowest pathways, and explains that the overall performance of sending a broadcasting

packet is only as fast as the slowest router pathway. The application states the need for

optimizing the slowest and least efficient routers so that bottlenecks that currently exist in current art of transmitting packets are eliminated.

Responsive to the Examiner's statement about the use of coding along with symbols, Applicants agree that any data could be interpreted as a symbol, and that the application has limited the use of the word "symbol" to include data that is substantially smaller than the contents of the broadcasting payload to which the set of symbols would be coded to represent. Coding with symbols is current in the art, and one skilled in the art would be enabled to use the current art coding with symbols in this manner described by applicants to perform the techniques in the application.

The use of replacing the broadcasting packet with coded symbol to header is described in the application and the independent claims 1, 6, and 11 have been amended to more clearly state that the broadcasting payload is stored temporarily inside a broadcasting router as a coded header by coding the broadcasting payload to a set of symbols temporarily, stripping the broadcasting payload temporarily from the broadcasting packet, replacing the broadcasting payload temporarily with a set of coded symbols in the broadcasting packet, and adding the coded symbols to a header of the broadcasting packet.

The amended claims 1, 6, and 11 also clarify that the coded header of the broadcasting packet is transmitted to the receiving server via the broadcasting router, and the broadcasting payload is transmitted to the coded header it corresponds to in the receiving server via the broadcasting router, and that the coded set of symbols of the broadcasting payload is converted from its coded format to form a full broadcasting packet, i.e. restore the original broadcasting packet, in the receiving server.

As for the second 35 USC 112 rejection, the independent claims 1, 6, and 11 have been amended to clarify that a set of symbols is used for coding the broadcast payload, and that the broadcast payload is removed or stripped from the packet. Pages 2 and 3 of the application explain the current art of packet switching, wherein headers are added in or stripped from a packet's payload between the server and the user terminal. In the application, the broadcast payload is stripped temporarily from the broadcast packet, and replaced with the smaller set of symbols representing the broadcast payload.

The Examiner complained that the use of broadcast payload is not identified, however, page3, line 13-21 define "broadcast payload" as the small units of information that has been broken from long messages into multiple packets before routing that make up the full broadcasting packet in a packet-switching network. And on page 4, lines 7-13, "broadcasting payload" is stated to refer to "the parts of the broadcasting packet that separate for transmission of the broadcasting packet to later reassemble and form a full broadcasting packet." Applicants understand that application explains that a broadcasting packet contains more than one payload, and that the independent claims describe only one broadcasting payload. It is understood that the claims show the method and system of addressing one payload, which can be used multiple times for multiple broadcasting payloads, as there would be no difference in the system or method for each payload, and no differences would arise depending on the number or amount of payloads.

Amended claims 1, 6, and 11 clarify the Examiner's questions regarding which header and payload are being transmitted to the receiving server via the broadcast router, and which coded payload is referred to in the conversion of coded payload. For the

reasons cited above it is believed that independent claims 1, 6, and 11 are allowable over the 35 USC 112 rejections.

Claims 2, 7, and 12 are rejected under 35 USC 112 for not clearly enabling one skilled in the art to which it pertains, or with which it is most nearly connected, for reducing the broadcasting payload to a coded header, and for being unclear about how the broadcast payload is reduced to a coded header. In response to these rejections, Applicants have amended claims 2, 7, and 12 to show "reducing the broadcasting payload of the broadcasting packet to a coded header *of the broadcasting packet*." Claims 2, 7, and 12 depend from claims 1, 6, and 11. For this reason and the reasons described above, dependent claims 2, 7 and 12 are patentable over the 35 USC 112 rejections.

Claims 3, 8, and 13 are rejected under 35 USC 112 for not clearly enabling one skilled in the art per the specification to practice receiving the coded header and patching the corresponding broadcasting payload from storage to form the full broadcasting packet, and for being unclear about on which coded header is received and how the patching is carried to the broadcasting payload from storage to form the full broadcasting packet. Regarding the specification, Fig. 1 and page 6, lines 5-15 of the application show I/O devices connected to a system bus via user interface adapter and display adapter, and a keyboard and mouse interconnected to the bus through the user interface adapter. "It is through such input devices that the user at a *receiving* station may interactively relate to the Web *in order to access Web documents.* Display adapter includes a frame buffer, which is a storage device that holds a representation of each pixel on the display screen. Images may be stored in frame buffer for display on monitor through various components, such as a digital to analog converter and the like. *By using the*

AUS920030787US1   13

aforementioned I/O devices, a user is capable of...receiving output information from the system via display (emphasis added)."

Further, the application references <u>Mastering the Internet</u>, G.H. Cady et al., published by Sybex Inc., Alameda, Ca, 1996, for details on Internet nodes, objects and links, and for typical connections between local display stations to the Web via network servers, any of which may be used to implement the system on which the techniques described in the application are used. (Application, page 6, lines 23-25, and page 7, lines 3-6). The application describes that packets are created on either terminal 11 or 13 of Fig. 1, and sent via a narrow channel over the Web to a receiving terminal 15. The Web Service Provider system that may be based upon the POP (Post Office Protocol) system manages the distribution of these packets, as well as the distribution of other electronic documents and broadcasting packets.

"A key to the present invention is the separate temporary storage of the coded header of the broadcasting payload in the broadcasting routers, which is then transmitted to the receiving server via the broadcasting routers. The corresponding document of the broadcasting payload is transmitted to form a full broadcasting packet in the receiving server." (Application page 7, lines 19-24). Fig. 2 illustrates "a packet document or broadcasting packet being transmitted by a sender, e.g. packet on sending terminal 13:...The broadcasting server 31 that temporarily stores the broadcasting payload 32 of the broadcasting packet in a coded header 38. This occurs by temporarily coding the broadcasting payload 32 to a set of symbols, temporarily stripping the broadcasting payload 32 from the broadcasting packet, and temporarily replacing the broadcasting packet with a coded symbol and adding the coded symbol to the header 38. The sending

terminal 13 is able to transmit these coded headers 38 to the receiving terminal 11, where the broadcasting payload 32 is retrieved from storage and the coded header 38 is patched to the corresponding broadcasting payload 32. The broadcasting payload 32 is relayed to a destination router according to its address." (Application page 7, line24-page 8, line 4).

Fig. 4 also shows the features of "receiving the coded header of the broadcasting packet and patching the broadcasting payload that corresponds to the set of coded symbols in the coded header from storage, and relaying the broadcasting payload to a destination router according to its address to form the full broadcasting packet, of dependent claims 3, 8 and 13. "The coded header is then transmitted to the receiving server...The broadcasting payload is transmitted separately to its coded header...A full broadcasting packet is then formed in the receiving server when the broadcasting payload is relayed to its corresponding coded header according to its address." (Application page 8, lines 26-29).

Claims 3, 8 and 13 have been amended to show the coded header of the broadcasting packet is received and the broadcasting payload that corresponds to the set of coded symbols in the coded header is patched from storage, the broadcasting payload is relayed to a destination router according to its address to form the full broadcasting packet. Claims 3, 8, and 13 depend from amended independent claims 1, 6, and 11, which are now believed to be allowable over the 112 rejection. For at least this reason and the reasons described above, dependent claims 3, 8, and 13 are patentable over the 112 rejection.

Claims 4, 9, and 14 are rejected under 35 USC 112 for not clearly enabling one in the art per the specification to teach how mail distribution system is able to insert coded

symbols to packets, and for being unclear in the specification how the mail distribution

system is able to insert coded headers to packets. The application references <u>Mastering</u>

<u>the Internet</u>, G.H. Cady et al., published by Sybex Inc., Alameda, Ca, 1996, for details on

Internet nodes, objects and links, and for typical connections between local display

stations to the Web via network servers, any of which may be used to implement the

system on which the techniques described in the application are used. (Application, page

6, lines 23-25, and page 7, lines 3-6).

The application also explains that the Web Service Provider system that may be

based upon the POP (Post Office Protocol) system manages the distribution of these

packets, as well as the distribution of other electronic documents and broadcasting

packets. The server system stores the in/out electronic documents of its clients at stations

like 11 and 13 of Fig. 1 in storage facilities of limited capacity. The application describes

a variation related to requested Web pages, wherein a Web page is requested by a Web

station. An appropriate server at the Web site or Web page source gets the coded header,

and the Web document is sent to the receiving display station. The broadcasting payload

is transmitted to the coded header in the receiving display station to form the full

broadcasting packet. (Application page 9, lines 1-5). Claims 4, 9, and 14 depend from

amended independent claims 1, 6, and 11, and dependent claims 3, 8, and 13 discussed

above, which are now believed to be allowable over the 112 rejection. For at least this

reason and the reasons described above, dependent claims 4, 9, and 14 are patentable

over the 112 rejection.

Claims 5, 10, and 15 are rejected under 35 USC 112 for not clearly enabling one

in the art per the specification to have digitized packets, or how the packets are digitized,

and for being unclear regarding how the broadcasting payloads become digitized packets. The application references <u>Mastering the Internet</u>, G.H. Cady et al., published by Sybex Inc., Alameda, Ca, 1996, for details on Internet nodes, objects and links, and explains that the Internet or Web is a global network of a heterogeneous mix of computer technologies and operating systems. "Higher level objects are linked to the lower level objects in the hierarchy through a variety of network server computers. *Digital packets are distributed through such a network.*" (emphasis added). (Application, page 6, lines 23-28).

The application also mentions that "images may be stored in frame buffer for display on monitor through various components, such as a *digital to analog converter.*" (Application page 6, lines 11-13). Applicants have clearly enabled one in the art per the specification to have digitized packets, and have shown how broadcasting payloads become digitized packets such that one in the art relying on techniques known in the art combined with the specification could practice the techniques described in the application. Claims 5, 10, and 15 depend from amended independent claims 1, 6, and 11, and dependent claims 3, 8, and 13 discussed above, which are now believed to be allowable over the 112 rejection. For at least this reason and the reasons described above, dependent claims 5, 10, and 15 are patentable over the 112 rejection.

Thus, it is submitted that claims 1-15 are submitted to be patentable under 35 USC 112, do not fail to comply with the enablement requirement, and are not indefinite. Applicants respectfully request an allowance.

Conclusion

In view of the foregoing, withdrawal of the rejections and the allowance of the

current pending claims are respectfully requested. If the Examiner feels that the pending

claims could be allowed with minor changes, the Examiner is invited to telephone the

undersigned to discuss an Examiner's Amendment.

Respectfully submitted,
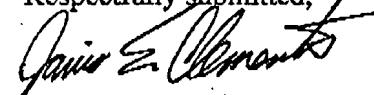
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AUS920030787US1   18